

Notice of Allowability

Application No.

10/595,087

Examiner

Samuel J. Walk

Applicant(s)

AUGUST ET AL.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/05/2006.
2. ☒ The allowed claim(s) is/are 7,31-35 and 41-51.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 3/14/06, 12/05/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

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DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Carl Oppedahl on 01/31/2007.

The application has been amended as follows:

"This application is a 371 of PCT/US05/25633 07/20/2005 which claims benefit of 60/589,524 07/20/2004" has been added as the first sentence in the specification.

"Fig. 12a is a top view of a meat tray." Has been added in the specification between paragraphs 46 and 47.

In Claim 7, "(for example, embedded)" has been deleted in line 3, "(e.g. stent)" has been deleted in line 4, "(e.g. integrated therewith)" has been deleted in lines 4-5, "(preferably much smaller than the integrated antenna)" has been deleted in line 6, "(e.g. an ID code to identify said object or said product)" has been deleted in lines 11-12, and "(e.g. said ID code)" has been deleted in 16.

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In Claim 31, "not exceeding 1 megahertz, said frequency" has been deleted in lines 9-11.

In Claim 32, "not exceeding 1 megahertz, said frequency" has been deleted in lines 9-11.

In Claim 41, "(shrink-wrapping)" has been deleted in line 2 and "(GPS coordinates)" has been deleted in line 3 of the claim on page 5; "(e.g. by cable or by high frequency RF)" has been deleted in line 12 and "(e.g. on a write only-once CD)" has been deleted in line 13 of the claim on page 6.

In Claim 46, "(shrink-wrapping)" has been deleted in line 2, "(GPS coordinates)" has been deleted in line 3, "(e.g. by cable or by high frequency RF)" has been deleted in line 18, "(e.g. on a write only-once CD)" has been deleted in line 19, and "(e.g. via a satellite)" has been deleted in line 20.

In Claim 47, "(e.g. on an LCD display)" has been deleted in line 2 and "(e.g. an alarm bell)" has been deleted in lines 2-3.

In Claim 51, "ULD" and ")" have been deleted in line 2.

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Allowable Subject Matter

1. Claims 7, 31-35 and 41-51 are allowed.
2. The following is an examiner's statement of reasons for allowance: Claim 7 has been found to be novel and inventive because prior art fails to show or teach an object comprising an integrated antenna, the object comprising a product with an RFID attached thereto with a transmitter and a tag antenna operated to transmit wireless signals to the integrated antenna, the tag antenna being operable to receive incoming wireless signals from the integrated antenna and to the tags receiver and microprocessor where the microprocessor reads a selected code from a data storage device in response to a selected set of incoming signals and to transmit the selected code from the tag antenna to the integrated antenna and the integrated antenna further transmits the code wirelessly to a field antenna. Claims 31-32 have been found to be novel and inventive because prior art fails to show or teach a receptacle holding a product with an attached RFID integrated unitarily, the receptacle also comprising an indicator for indicating impending expiry or sealing of said receptacle, and the receptacle comprising a sensor disposed on a surface of the receptacle operable to generate a sealing signal indicating the shrink-wrapping thereof. Claims 41-51 have been found to be novel and inventive.

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because prior art fails to show or teach integrating a passive RFID tag with a product comprising an integrated product antenna integrated, said RFID tag being operable to emit wireless RF identification (ID) signals operable to identify said product in response to a wireless RF interrogation signal; placing said product onto a first receptacle, said first receptacle being provided with a sensor for a said condition and an active RFID tag operable to emit said RF interrogation signal, to receive said ID signals, and to emit first RF signals operable to identify said product and to indicate a said condition at said first receptacle, placing said first receptacle into a second receptacle, said second receptacle being provided with a sensor for said condition and an active RFID tag operable to receive said first signals and to emit second RF signals that indicate said condition at one of said first and second receptacles, detecting auditable signals selected from said first RF signals and said second RF signals transmitting auditable signals detected to a central station for auditable recording thereat.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Monahan (US 5929760) discloses a RFID conveyor antenna. Nicholson (US 6724308) discloses a RFID tracking method and system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel J. Walk whose telephone number is (571) 272-2960. The examiner can normally be reached on M-F: 8:00-5:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

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like assistance from a USPTO Customer Service Representative or
access to the automated information system, call 800-786-9199
(IN USA OR CANADA) or 571-272-1000.

SJW



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